



US Army Corps  
of Engineers®

Nashville District

# Public Notice

Public Notice No. 04-78

Date: November 12, 2004

Application No. 980004570

Please address all written responses, by December 16, 2004, to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214  
Attn: Lisa Morris, telephone 615/369-7504, fax 615/369-7501

**SUBJECT:** Proposed Construction of Recessed Barge Slip for Existing Shipyard at Cumberland River Mile 163.6, Right Bank, Cheatham County, TN (Trinity Marine- Ashland City, TN plant)

**TO ALL CONCERNED:** The application described below has been submitted for a Department of the Army (DA) Permit pursuant to **Section 10 of the Rivers and Harbors Act**.

Pursuant to Section 404 of the Clean Water Act, the discharges of riprap for erosion control and crushed stone for backfill behind the proposed sheet piling recessed slip perimeter associated with the application meets the criteria of Nationwide Permits (NWP) #13 and #25, respectively. The Tennessee Department of Environment and Conservation has certified that applicable water quality standards will not be violated from activities authorized by NWPs (pursuant to Section 401(a)(1) of the CWA).

The proposed action would occur on Government Fee Tract G-701 and a modification to the existing real estate instrument, Lease No. DACW62-1-98-0136, is required.

**APPLICANT:** Trinity Industries, Inc.  
2525 Stemmons Freeway  
Dallas, TX 75207

**LOCATION:** Cumberland River Mile 163.6, Right Bank, Cheatham Lake, Ashland City, Cheatham County, TN. Cumberland River Navigation Chart No. 23. USGS Quad- Lillamay, TN. Lat: 36-13-00; Lon: 87-01-00. Government Tract No. G-701.

**DESCRIPTION OF WORK:** The applicant has constructed and repaired vessels at this Ashland City plant for many years. Materials used in the operation are currently transferred from the river by barge launching rails, which have been in place for many years. At this time, the applicant is requesting to excavate a recessed barge slip to provide for the berthing of one barge and a safer means for delivery of steel components to the plant. According to the application,

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a 64-foot wide by 195-foot long slip would be excavated into the riverbank. The applicant is aware of the existing gas transmission line that is just downstream of the proposed slip site. Sheet piling walls and wing walls with tie back anchors would be constructed for 625 linear feet around perimeter of the slip. Pilings would be driven into the natural rock bottom. The berthing area would be an average of 45 feet tall, with a top Elevation 399. Normal pool of Cheatham Lake is Elevation 385. The walls would be backfilled with approximately 1,300 cubic yards of crushed stone. Approximately 850 cubic yards of riprap would be placed around the wing walls for erosion control. Excavation of the slip would occur in the dry by using a cofferdam over the mouth of the proposed excavation area. The dam would be removed only after the sides and bottom of the slip have been stabilized.

The excavated material would be disposed on the applicant's cleared private lands southeast (upstream, CRM 163.9R) of the slip site (CRM 163.6R). The applicant uses this site for storage and would continue to use the site for storage after the disposed materials are stabilized. A small tributary separates the excavation and disposal sites. A railroad track exists to the immediate north of the proposed disposal site. A willow-dominated wetland area exists to the north and beside the disposal site. The applicant would provide an erosion control barrier around the disposal site prior to commencing work to protect both the tributary and wetland area.

Vegetation on the disposal site consists of a generally level field supporting a thick herbaceous growth of mostly ironweed, goldenrod, and associated species. Excavation of the slip would require the removal of approximately 0.15 of an acre of the existing 5.85 acres of land leased to Trinity Marine. Vegetation on the public land at the excavation site to be affected consists of a narrow strip of grass and a few small hardwoods. As mitigation for the loss of government lands, the applicant proposes to place riprap, at their own cost, along the shoreline in areas to be determined where sensitive public lands are being lost to erosion. Plans of the proposed work are attached.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

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The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An EA will be prepared by this office prior to a final decision concerning issuance or denial of the requested DA Permit.

The applicant provided a Phase I level archaeological assessment that included both the excavation and disposal sites. Copies of this assessment and this notice will be provided to the office of the State Historic Preservation Officer. The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area.

Based upon available information, the proposed work would not destroy or endanger any federally-listed, threatened, or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the US Fish and Wildlife Service is not planned at this time.

With the application, the applicant also provided a hazardous, toxic, and radioactive waste assessment. In addition to the DA permit, other federal, state, and/or local approvals may be required for the proposed work.

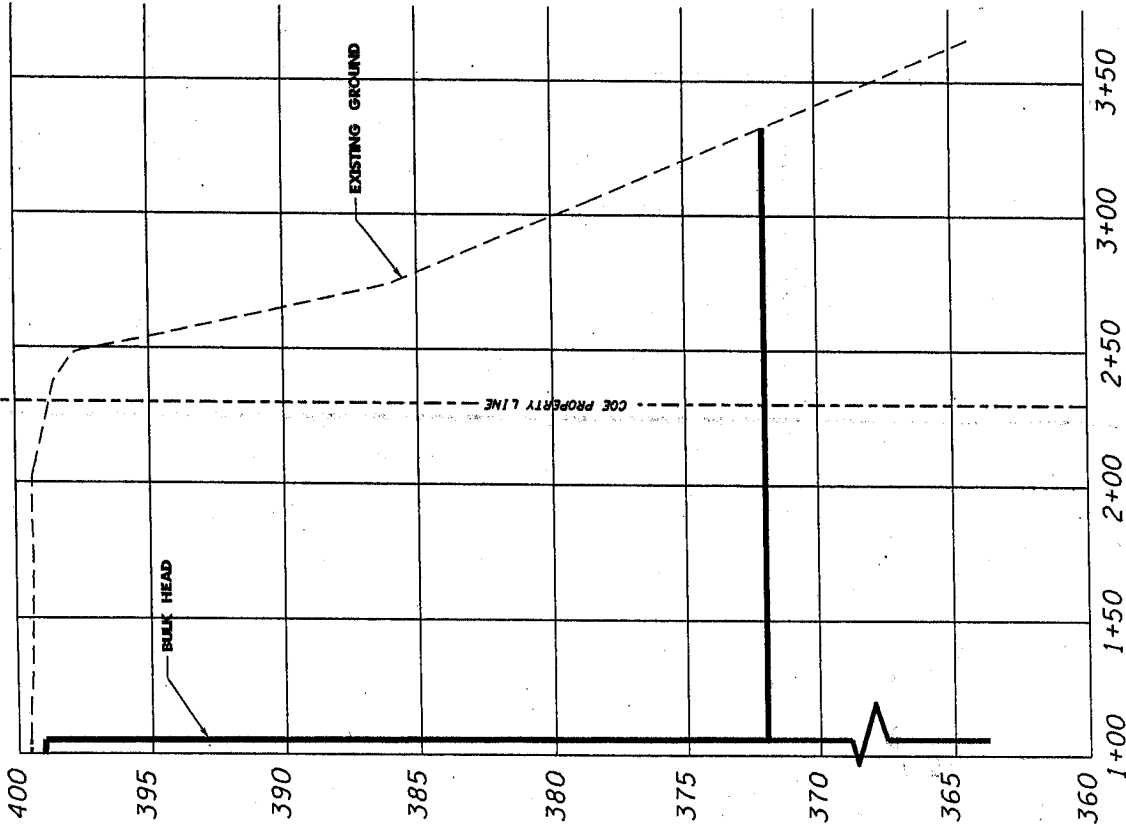
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a hearing. **Written statements received in this office on or before December 13, 2004, will become a part of the record and will be considered in the determination.** Any response to this notice should be directed to the Regulatory Branch, Attn: Lisa Morris, at the above address.

**LOCATION MAP**  
**Lillamay, TN USGS Quadrangle**

**Disposal Site**  
**CRM 163.9 Right Bank**  
**Cheatham County**

**Proposed Recess Barge Slip**  
**CRM 163.6 Right Bank**  
**Cheatham County**

The map is a topographic representation of the Lillamay area in Tennessee. It features contour lines indicating elevation, with labels such as 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000, 1010, 1020, 1030, 1040, 1050, 1060, 1070, 1080, 1090, 1100, 1110, 1120, 1130, 1140, 1150, 1160, 1170, 1180, 1190, 1200, 1210, 1220, 1230, 1240, 1250, 1260, 1270, 1280, 1290, 1300, 1310, 1320, 1330, 1340, 1350, 1360, 1370, 1380, 1390, 1400, 1410, 1420, 1430, 1440, 1450, 1460, 1470, 1480, 1490, 1500, 1510, 1520, 1530, 1540, 1550, 1560, 1570, 1580, 1590, 1600, 1610, 1620, 1630, 1640, 1650, 1660, 1670, 1680, 1690, 1700, 1710, 1720, 1730, 1740, 1750, 1760, 1770, 1780, 1790, 1800, 1810, 1820, 1830, 1840, 1850, 1860, 1870, 1880, 1890, 1900, 1910, 1920, 1930, 1940, 1950, 1960, 1970, 1980, 1990, 2000, 2010, 2020, 2030, 2040, 2050, 2060, 2070, 2080, 2090, 2100, 2110, 2120, 2130, 2140, 2150, 2160, 2170, 2180, 2190, 2200, 2210, 2220, 2230, 2240, 2250, 2260, 2270, 2280, 2290, 2300, 2310, 2320, 2330, 2340, 2350, 2360, 2370, 2380, 2390, 2400, 2410, 2420, 2430, 2440, 2450, 2460, 2470, 2480, 2490, 2500, 2510, 2520, 2530, 2540, 2550, 2560, 2570, 2580, 2590, 2600, 2610, 2620, 2630, 2640, 2650, 2660, 2670, 2680, 2690, 2700, 2710, 2720, 2730, 2740, 2750, 2760, 2770, 2780, 2790, 2800, 2810, 2820, 2830, 2840, 2850, 2860, 2870, 2880, 2890, 2900, 2910, 2920, 2930, 2940, 2950, 2960, 2970, 2980, 2990, 3000, 3010, 3020, 3030, 3040, 3050, 3060, 3070, 3080, 3090, 3100, 3110, 3120, 3130, 3140, 3150, 3160, 3170, 3180, 3190, 3200, 3210, 3220, 3230, 3240, 3250, 3260, 3270, 3280, 3290, 3300, 3310, 3320, 3330, 3340, 3350, 3360, 3370, 3380, 3390, 3400, 3410, 3420, 3430, 3440, 3450, 3460, 3470, 3480, 3490, 3500, 3510, 3520, 3530, 3540, 3550, 3560, 3570, 3580, 3590, 3600, 3610, 3620, 3630, 3640, 3650, 3660, 3670, 3680, 3690, 3700, 3710, 3720, 3730, 3740, 3750, 3760, 3770, 3780, 3790, 3800, 3810, 3820, 3830, 3840, 3850, 3860, 3870, 3880, 3890, 3900, 3910, 3920, 3930, 3940, 3950, 3960, 3970, 3980, 3990, 4000, 4010, 4020, 4030, 4040, 4050, 4060, 4070, 4080, 4090, 4100, 4110, 4120, 4130, 4140, 4150, 4160, 4170, 4180, 4190, 4200, 4210, 4220, 4230, 4240, 4250, 4260, 4270, 4280, 4290, 4300, 4310, 4320, 4330, 4340, 4350, 4360, 4370, 4380, 4390, 4400, 4410, 4420, 4430, 4440, 4450, 4460, 4470, 4480, 4490, 4500, 4510, 4520, 4530, 4540, 4550, 4560, 4570, 4580, 4590, 4600, 4610, 4620, 4630, 4640, 4650, 4660, 4670, 4680, 4690, 4700, 4710, 4720, 4730, 4740, 4750, 4760, 4770, 4780, 4790, 4800, 4810, 4820, 4830, 4840, 4850, 4860, 4870, 4880, 4890, 4900, 4910, 4920, 4930, 4940, 4950, 4960, 4970, 4980, 4990, 5000, 5010, 5020, 5030, 5040, 5050, 5060, 5070, 5080, 5090, 5100, 5110, 5120, 5130, 5140, 5150, 5160, 5170, 5180, 5190, 5200, 5210, 5220, 5230, 5240, 5250, 5260, 5270, 5280, 5290, 5300, 5310, 5320, 5330, 5340, 5350, 5360, 5370, 5380, 5390, 5400, 5410, 5420, 5430, 5440, 5450, 5460, 5470, 5480, 5490, 5500, 5510, 5520, 5530, 5540, 5550, 5560, 5570, 5580, 5590, 5600, 5610, 5620, 5630, 5640, 5650, 5660, 5670, 5680, 5690, 5700, 5710, 5720, 5730, 5740, 5750, 5760, 5770, 5780, 5790, 5800, 5810, 5820, 5830, 5840, 5850, 5860, 5870, 5880, 5890, 5900, 5910, 5920, 5930, 5940, 5950, 5960, 5970, 5980, 5990, 6000, 6010, 6020, 6030, 6040, 6050, 6060, 6070, 6080, 6090, 6100, 6110, 6120, 6130, 6140, 6150, 6160, 6170, 6180, 6190, 6200, 6210, 6220, 6230, 6240, 6250, 6260, 6270, 6280, 6290, 6300, 6310, 6320, 6330, 6340, 6350, 6360, 6370, 6380, 6390, 6400, 6410, 6420, 6430, 6440, 6450, 6460, 6470, 6480, 6490, 6500, 6510, 6520, 6530, 6540, 6550, 6560, 6570, 6580, 6590, 6600, 6610, 6620, 6630, 6640, 6650, 6660, 6670, 6680, 6690, 6700, 6710, 6720, 6730, 6740, 6750, 6760, 6770, 6780, 6790, 6800, 6810, 6820, 6830, 6840, 6850, 6860, 6870, 6880, 6890, 6900, 6910, 6920, 6930, 6940, 6950, 6960, 6970, 6980, 6990, 7000, 7010, 7020, 70



SCALE  
HORIZONTAL: 1" = 50'  
VERTICAL: 1" = 5'

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DATE		6 OF 14

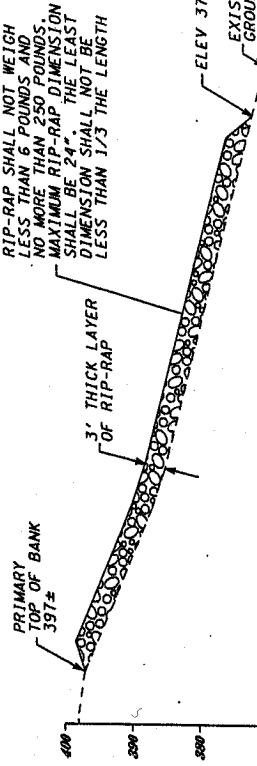
**PROPOSED BARGE SLIP**  
**SECTION "B-B"**  
**TRINITY INDUSTRIES, INC.**  
**PROPOSED BARGE SLIP**  
ACQUAINT CITY TN DIANT #2004

**BWSC**  
BARGE  
WAGGONER  
SUMNER &  
CANNON, INC.  
ENGINEERS ARCHITECTS  
LANDSCAPE ARCHITECTS AND SURVEYORS  
2000 22nd St., Suite 100, Nashville, Tennessee 37203

EXHIBIT D

FILE NO. 980004570

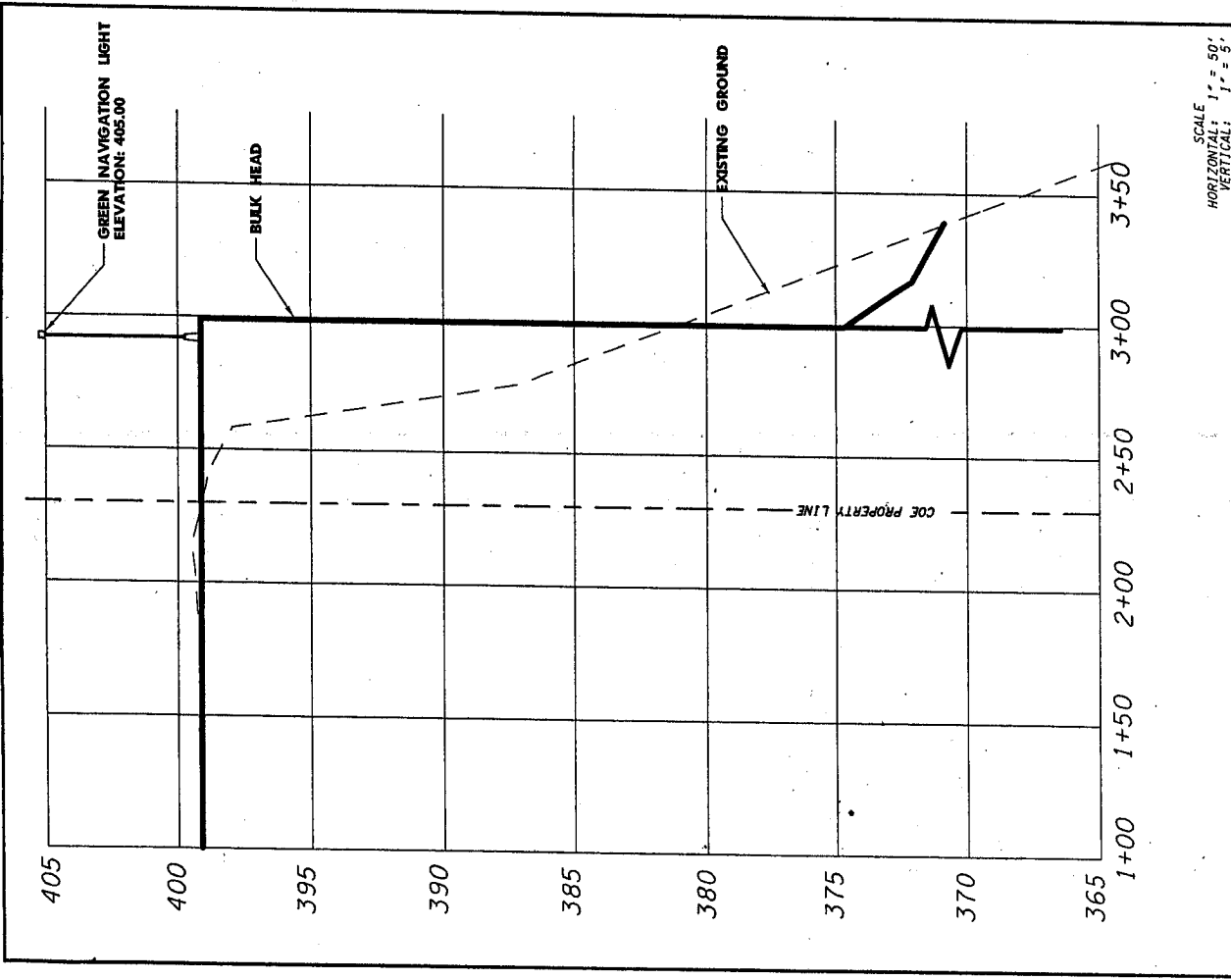
TRINITY INDUSTRIES, INC.



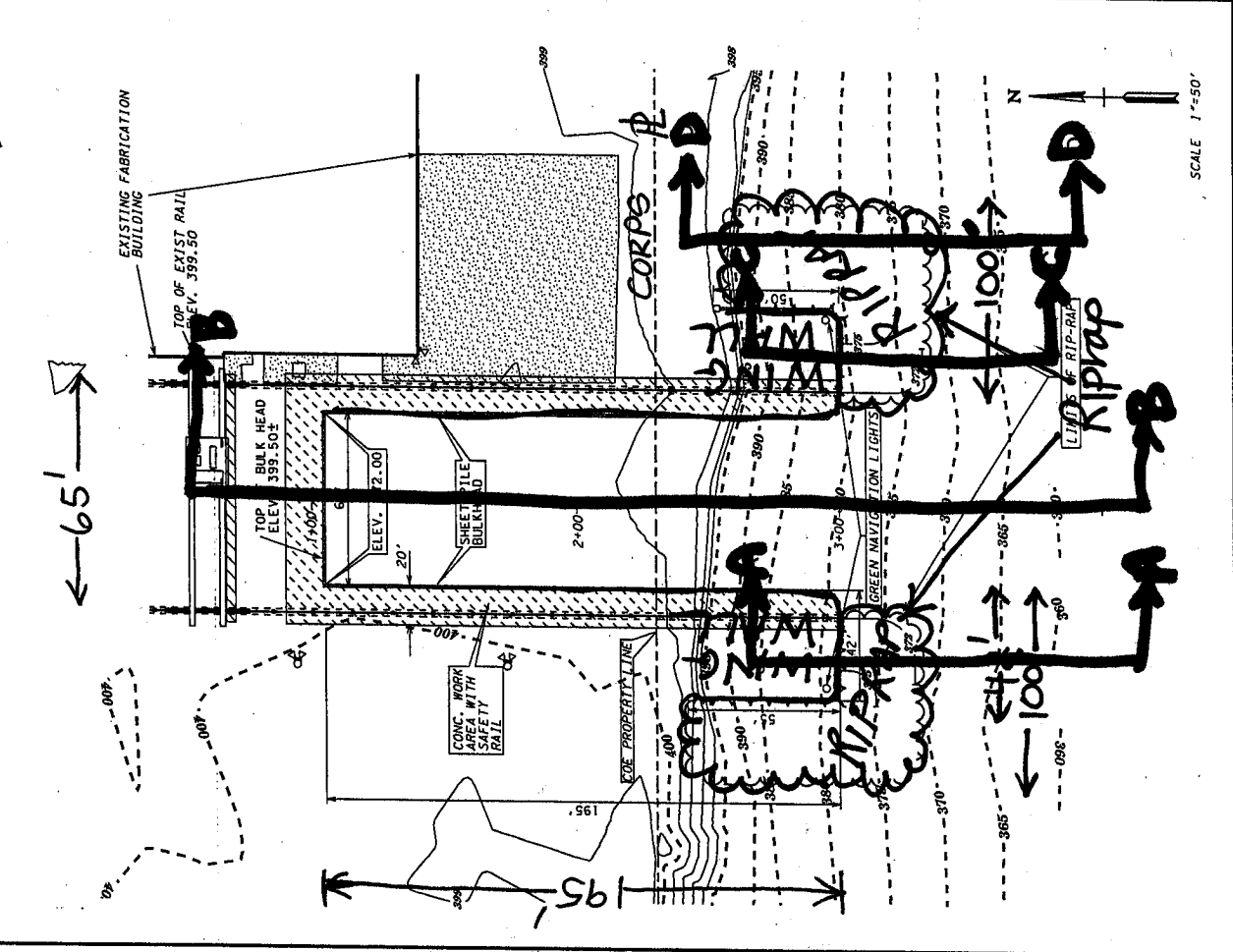
SCALE  
HORIZONTAL: 1" = 20'  
VERTICAL: 1" = 20'

**TYPICAL RIP-RAP DETAIL**  
**SECTION "D-D"**  
**TRINITY INDUSTRIES, INC.**  
**PROPOSED BARGE SLIP**  
ACQUAINT CITY TN DIANT #2004

**BWSC**  
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LANDSCAPE ARCHITECTS AND SURVEYORS  
2000 22nd St., Suite 100, Nashville, Tennessee 37203



<b>BWSC</b> BARGE WAGBONER SUMNER & CANNON, INC. ENGINEERS ARCHITECTS PLANNERS LANDSCAPE ARCHITECTS AND SURVEYORS <small>20 Commercial Street Suite 600 Nashville, Tennessee 37203</small>	SECTION TYPICAL "A-A" & "C-C"		SCALE HORIZONTAL: 1" = 50' VERTICAL: 1" = 5'	
	TRINITY INDUSTRIES, INC.		DRAWN BY: DW	CHECKED BY: KTB
	PROPOSED BARGE SLIP		FIGURE NO.: 5 OF 14	DATE: 01/01/00
	ASHLAND CITY TN PLANT #2004		PROJECT NO.: 000000_01	DATE: 01/01/00

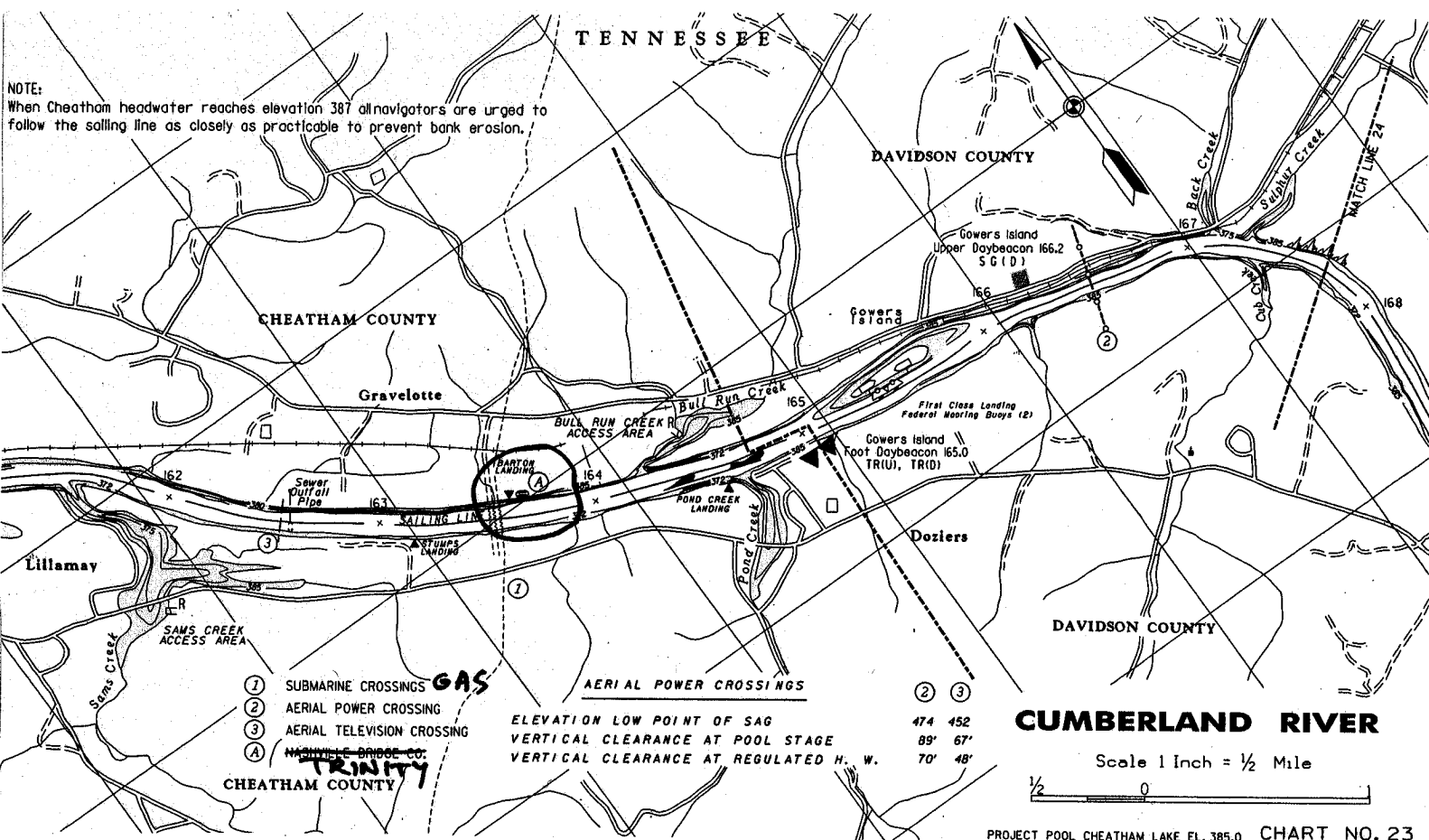


<b>BWSC</b> BARGE WAGBONER SUMNER & CANNON, INC. ENGINEERS ARCHITECTS PLANNERS LANDSCAPE ARCHITECTS AND SURVEYORS <small>20 Commercial Street Suite 600 Nashville, Tennessee 37203</small>	PROPOSED BARGE SLIP (PLAN VIEW)		SCALE 1"=50'	
	TRINITY INDUSTRIES, INC.		DRAWN BY: DW	CHECKED BY: KTB
	PROPOSED BARGE SLIP		FIGURE NO.: 4 OF 14	DATE: 01/01/00
	ASHLAND CITY TN PLANT #2004		PROJECT NO.: 000000_01	DATE: 01/01/00

EXHIBIT C  
 FILE NO. 980004570  
 TRINITY INDUSTRIES, INC.

# TENNESSEE

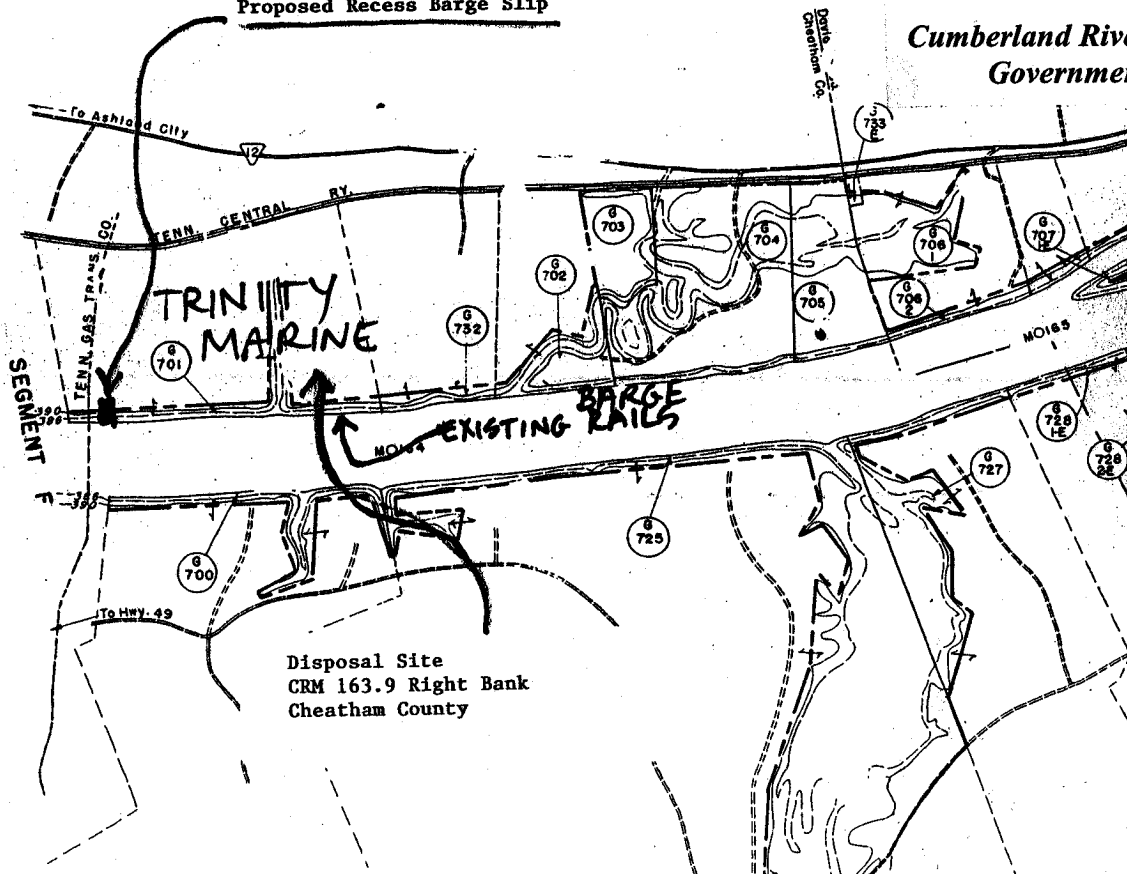
NOTE: When Cheatham headwater reaches elevation 387 all navigators are urged to follow the sailing line as closely as practicable to prevent bank erosion.



Site Location, CRM 163.6, Right Bank  
Cheatham County  
Proposed Recess Barge Slip

**EXHIBIT B**  
**FILE NO. 980004570**  
**TRINITY INDUSTRIES, INC.**  
**CRM 163.6R to 163.9R**

**Cumberland River NAV CHART NO. 23**  
**Government Tact No. G-701**



BWSC

ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS AND PLANNERS

WAGNER SUNNER & CANNON, INC.

BARGE

TRINITY INDUSTRIES, INC.

PROPOSED BARGE SLIP

AGRIAN CITY TN PLANT #2904

STRUCTURAL PLAN VIEW

DATE: 11/14/01

PROJECT NO.: 980004570

8 OF 14

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ORDERED BY:

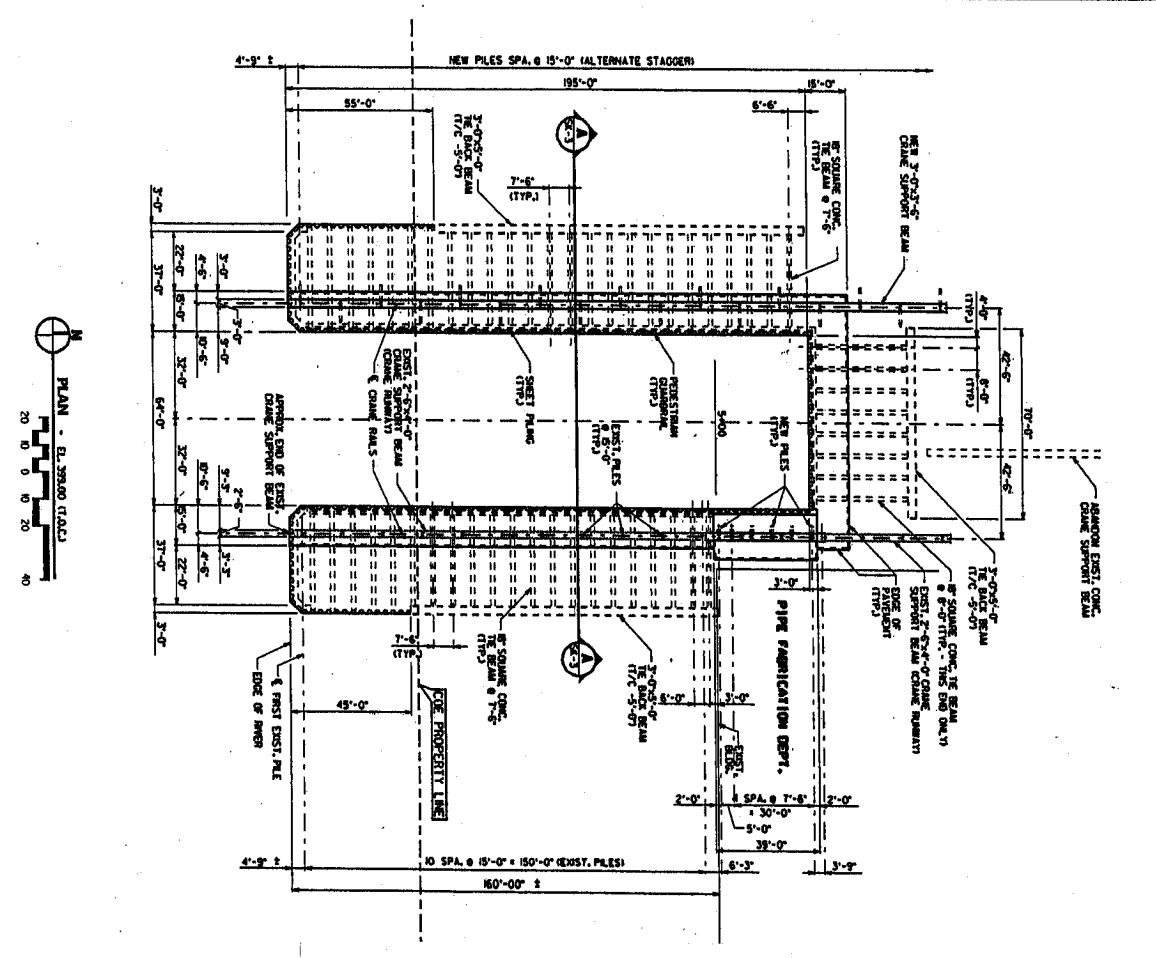


EXHIBIT E  
FILE NO. 980004570  
TRINITY INDUSTRIES, INC.

BWSC

ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS AND PLANNERS

WAGNER SUNNER & CANNON, INC.

BARGE

TRINITY INDUSTRIES, INC.

PROPOSED BARGE SLIP

AGRIAN CITY TN PLANT #2904

STRUCTURAL SECTION

DATE: 11/14/01

PROJECT NO.: 980004570

11 OF 14

CMC

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